

DECLARATION OF ERIC LEE

I, Eric Lee, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. My name is Eric Lee. I am a member in good standing of the Bar of the State of Michigan.
2. I represent Luis Manuel Rivas Velasquez, a Venezuelan national in ICE custody. Mr. Rivas Velasquez first entered custody at “Alligator Alcatraz” on July 25, 2025.
3. On Wednesday, August 6, 2025, another attorney contacted me on behalf of Mr. Rivas Velasquez’s family asking for assistance in determining whether Mr. Rivas Velasquez was alive or dead. I communicated directly with the family, who said they had been contacted by relatives of other detainees at the facility who informed them that Mr. Rivas Velasquez suffered a serious medical emergency and may have passed away. Our initial attempts to inquire as to Mr. Rivas Velasquez’s status, made with the assistance of a Florida state representative, went unanswered by the officials we were instructed to contact by Florida’s Division of Emergency Management: ICE media’s general email address, and three State of Florida officials: Meigs Lamb, Stephanie Houpp and Jake Felder.
4. Mr. Rivas Velasquez’s family informed me that Mr. Rivas Velasquez had no immigration attorney while detained at Alligator Alcatraz. His family had considered trying to retain an attorney but ultimately did not do so: they were told that hiring an attorney would be futile because people held at Alligator Alcatraz have no hope of getting immigration relief. However, Mr. Rivas Velasquez apparently had crossed the U.S. border at El Paso using the CBP One Application and was given an immigration court date for February

2027 after being paroled into the country. He would therefore be eligible to apply for bond in immigration court, to the extent that an immigration court would accept his application. Instead, Mr. Velazquez signed a Voluntary Departure form with officers at Alligator Alcatraz, without the opportunity to speak to counsel.

5. On Thursday, August 7, Mr. Rivas Velasquez finally called me from Alligator Alcatraz, from a monitored, recorded phone line. He told me that he had been severely ill, was having difficulty breathing, and lost consciousness on Tuesday. He told me that shortly before collapsing, he had requested medical assistance from guards who told him they would not or could not help him. He informed me that a substantial number of people were sick at the facility, and that nobody is being given prompt medical attention. He told me he would put me in contact with a witness who had seen him suffer his medical emergency. Throughout this call, he struggled to breathe. I had to tell him multiple times to stop speaking so that he could catch his breath. It was apparent to me that he was still very ill.
6. Later that day, Mr. Rivas Velasquez called again from Alligator Alcatraz from the monitored, recorded phone line. He put another detainee on the phone who identified himself to me as a Cuban detainee, to explain what had happened during Mr. Rivas Velasquez's medical emergency. The Cuban detainee informed me that Mr. Rivas Velasquez had been ill for some time and was having difficulty breathing when he suddenly became nonresponsive. Other detainees attempted to awaken him but these efforts did not succeed. About 30 guards stood by as detainees begged for medical attention. Guards did not even know how to check Mr. Rivas Velasquez's pulse. Another Cuban detainee who had been a nurse provided CPR. Detainees dragged Mr. Rivas

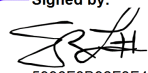
Velasquez's body to a different location to get him to a space with better air circulation and to attract attention from other guards.

7. The Cuban detainee also told me that guards provided no medical assistance beyond giving Mr. Rivas Velasquez water and attempting to massage his back. The detainee told me that guards have denied detainees' requests for masks to protect them from whatever disease or sickness is spreading through the facility. Mr. Rivas Velasquez told me he remembered waking up in an ambulance. He was taken to a hospital where he was chained to the bed by armed officers as he suffered from severe difficulty breathing. Mr. Rivas Velasquez informed me that officers told one another that they had to be "tough" with him. Mr. Rivas Velasquez also informed me that upon returning to Alligator Alcatraz after hospitalization, he asked officials for his medical records but officials denied this request. Also on August 7, guards came to Mr. Rivas Velasquez's bed, searched his pillow where he had stored poems and various recollections of his time in detention, and confiscated them. Guards informed Mr. Rivas Velasquez that he was not allowed to write anything down.
8. Mr. Rivas Velasquez has informed me that since being at Alligator Alcatraz, he wishes to leave detention as quickly as possible out of concern for his health due to the poor conditions of confinement and lack of medical care.
9. I lost contact with Mr. Rivas Velasquez for over 24 hours after this conversation. He called me on August 9 and said he had been transferred to El Paso, Texas and was in a facility with tents. He said his medical condition was worsening rapidly and that he feared he was going to die. He once again sounded as though he was having substantial trouble breathing. He said he was not being given medical attention but that he

desperately needed to go to the doctor or the hospital. After three minutes, I heard what sounded like a guard tell Mr. Rivas Velasquez that he had to hang up. Mr. Rivas Velasquez was begging me to secure him medical attention immediately. He said, “I don’t want to die in here.” The call was abruptly cut off.

10. I sent several emails to ICE officials in El Paso to request that Mr. Rivas Velasquez be provided with medical attention immediately, but received no responses. I emailed El Paso ICE Outreach as well as two local ICE officials: Marisa Flores and Adam Molina. At roughly 7 p.m. eastern time on August 9, I called 9-1-1 in El Paso and asked for a medical team to be sent to the facility to check on Mr. Rivas Velasquez. Soon thereafter, Lt. John Gallegos from the El Paso Fire Department called me and told me that his team was at the facility, but that ICE had denied his team entry. Lt. Gallegos informed me that ICE told his team that Mr. Rivas Velasquez was not at the facility. At that time, I checked the ICE locator which stated that Mr. Rivas Velasquez was, in fact, at the facility. As I drafted this declaration on the morning of August 10, I checked the locator once more and it shows Mr. Rivas Velasquez remains at the El Paso Enhanced Hardened Facility.

Executed on the 10th of August, 2025, at Southfield, Michigan.

Signed by:

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Eric Lee